

|  |  |  |                       |  |   |                                |
|--|--|--|-----------------------|--|---|--------------------------------|
| <b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>  |  |  | 1. CONTRACT ID CODE   |  | PAGE OF PAGES<br>1   9  |                                |
| 2. AMENDMENT/MODIFICATION NO.<br><br><b>0001</b>   |  | 3. EFFECTIVE DATE<br><br><b>AUGUST 9, 2004</b> |                       | 4. REQUISITION/PURCHASE REQ. NO.               |   | 5. PROJECT NO. (If applicable) |
| 6. ISSUED BY<br>DEFENSE ENERGY SUPPORT CENTER<br>8725 JOHN J. KINGMAN ROAD, SUITE 4950<br>FORT BELVOIR, VA 22060-6222 FAX 703-767-8506<br>BUYER/SYMBOL – GLORIA J. EDMONDS/DESC-PEA<br>PHONE - (703) 767-9519 P.P. 3.23  |  |  | CODE<br><b>SCO600</b> |  | 7. ADMINISTERED BY (If other than Item 6)<br>CODE                     |                                |
| 8. NAME AND ADDRESS OF CONTRACTOR (NO., street, city, county, St   |  |  |                       | <b>X</b>                                       | 9a. AMENDMENT OF SOLICITATION NO.<br><br><b>SP0600-02-R-0037-0002</b> |                                |
|  |  |  |                       |  | 9b. DATED (SEE ITEM 11)<br><br><b>JULY 22, 2004</b>                   |                                |
|  |  |  |                       |  | 10a. MODIFICATION OF CONTRACT/ORDER NO.                               |                                |
|  |  |  |                       |  | 10b. DATED (SEE ITEM 13)  |                                |
| BIDDER CODE:   |  | CAGE CODE:                                     |                       |  |   |                                |
| <b>11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS</b>   |  |  |                       |  |   |                                |
| <p>[ <b>X</b> ] The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers [ <b>X</b> ] is extended, [ ] is not extended <b>until 3:00 PM Ft. Belvoir, VA time on August 16, 2004.</b></p> <p>Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning <u>  1  </u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. <b>FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER.</b> If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.</p> |  |  |                       |  |   |                                |
| 12. ACCOUNTING AND APPROPRIATION DATA (If required)  |  |  |                       |  |   |                                |
| <b>13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.</b>  |  |  |                       |  |   |                                |
| A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.   |  |  |                       |  |   |                                |
| B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b)   |  |  |                       |  |   |                                |
| C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:   |  |  |                       |  |   |                                |
| D. OTHER (Specify type of modification and authority)  |  |  |                       |  |   |                                |
| E. IMPORTANT: Contractor [ ] is not, [ <b>X</b> ] is required to sign this document and return <u>  1  </u> copies to the issuing office.  |  |  |                       |  |   |                                |
| 14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)  |  |  |                       |  |   |                                |
| A. All offerors are reminded to acknowledge receipt of this amendment as stated in Block 11 of this form.  |  |  |                       |  |   |                                |
| (SEE CONTINUATION PAGES)   |  |  |                       |  |   |                                |
| Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.   |  |  |                       |  |   |                                |
| 15A. NAME AND TITLE OF SIGNER (Type or print)  |  |  |                       | 16A. NAME OF CONTRACTING OFFICER               |   |                                |
| 15B. NAME OF CONTRACTOR/OFFEROR  |  | 15C. DATE SIGNED                               |                       | 16B. UNITED STATES OF AMERICA                  |   | 16C. DATE SIGNED               |
| BY _____<br>(Signature of person authorized to sign)   |  |  |                       | BY _____<br>(Signature of Contracting Officer) |   |                                |

B. Clause C16.14 dated February 2003 is hereby deleted from the solicitation and replaced with revised Clause C16.14 dated July 2004.

**C16.14 FUEL, ETHANOL (PC&S) (DESC JUL 2004)**

Product shall conform to ASTM D 5798. ASTM D 5798 covers fuel blends for nominally 75 to 85 volume percent denatured fuel, ethanol, and 25 to 15 additional volume percent hydrocarbons. Fuel, ethanol, must meet all requirements of ASTM D 5798 specification, including the requirement that the minimum percentage of ethanol must be seasonally and geographically adjusted in accordance with Tables 1 and 2 of ASTM D 5798. The purpose of adjusting the ratio of ethanol to hydrocarbons is to ensure suitable vehicle operation under varying ambient temperature conditions applicable to the time and place of delivery. In the event that a Federal, State, or local environmental requirement is more stringent than a specification contained in this contract, the Contractor shall deliver product that complies with the more stringent requirement. Supplies delivered under this contract shall conform to all Federal, State, and local environmental requirements applicable to the geographic location of the receiving activity on the date of delivery. The National Stock Number applicable to this product grade is shown below.

NATIONAL STOCK NUMBER

9130-01-470-2024

PRODUCT NOMENCLATURE

Fuel Ethanol for Automotive Spark-Ignition Engines

(DESC 52.246-9FFG)

C. Clause C16.69 dated February 2004 is hereby deleted from the solicitation and replaced with revised Clause C16.69 dated July 2004.

**C16.69 FUEL SPECIFICATIONS (PC&S) (DESC JUL 2004) (REV)**

Supplies delivered under this contract shall conform to all Federal, State, and local environmental requirements applicable to the geographic location of the receiving activity on the date of delivery. The list of such requirements contained in this contract is not intended to be a complete list, and the Contractor shall be responsible for determining the existence of all such requirements at the time deliveries are made. Selected regional environmental requirements are highlighted in the SPECIFICATIONS (CONT'D) clause. In the event that a Federal, State, or local environmental requirement is more stringent than a specification contained in this contract, the Contractor shall deliver product that complies with the more stringent requirement. Product that fails to meet the more stringent requirement will be considered to be a nonconforming supply. Product(s) to be supplied shall fully meet the requirements of the applicable specification(s) as cited below.

**NOTE:** Gasoline, gasohol and reformulated gasoline Reid Vapor Pressure (RVP) specification requirements are seasonal and vary geographically throughout the United States. Therefore, Contractors are expected to know the local, State, or Federal RVP requirements of areas being supplied and comply with those requirements.

(a) **GASOLINE, AUTOMOTIVE, UNLEADED, GRADES REGULAR, MIDGRADE, AND PREMIUM.** Product shall conform to ASTM D 4814, as modified below.

(1) **OCTANE REQUIREMENTS.**

(i) Unleaded automotive gasoline shall meet the Anti-Knock Index (AKI) requirements shown in the table below.

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u> | <u>DESC<br/>PRODUCT<br/>CODE</u> | <u>AKI</u> |
|------------------------------|-----------------------------|----------------------------------|------------|
| <u>MINIMUM</u>               |                             |                                  |            |
| 9130-00-148-7103<br>87       | Gasoline, Regular Unleaded  | MUR                              |            |
| 9130-01-272-0983<br>89       | Gasoline, Midgrade Unleaded | MUM                              |            |
| 9130-00-148-7104<br>91       | Gasoline, Premium Unleaded  | MUP                              |            |

(ii) Reductions for altitude and seasonal variations are allowed for all AKI values in accordance with figures X1.2 and X1.3 of ASTM D 4814.

(iii) For regular unleaded gasoline, in addition to an AKI of 87 minimum, the MON must not be less than 82.

(2) **OXYGENATE REQUIREMENTS.**

(i) In order to achieve minimum/maximum oxygen content limits specified per Federal, State, and local environmental requirements, supplies shall only include oxygenates that are permitted by environmental regulations applicable to the time and place of delivery.

(ii) Blending of oxygenates into gasoline to meet oxygenated fuel requirements shall be accomplished by mechanical mixing or agitation in a tank, or by in-line blending, prior to loading the product into transport equipment, and the resultant product must meet contract requirements.

(3) See the SPECIFICATIONS (CONT'D) clause for additional regional gasoline requirements.

(b) **GASOHOL, AUTOMOTIVE, UNLEADED, GRADES REGULAR, MIDGRADE, AND PREMIUM.** Products shall conform to Commercial Item Description (CID) A-A-52530 dated October 10, 1995, as modified below. In accordance with Executive Order 12261 of January 5, 1981, "Gasohol in Federal Motor Vehicles," Gasohol may be considered an acceptable substitute for Unleaded Gasoline. The Unleaded Gasoline items that permit the substitution of Gasohol are identified in the Schedule. Contractors are required to state, for each line item in their offer, whether Gasohol will be provided. Contractors will not be permitted to substitute Unleaded Gasoline under line items awarded as gasohol. Also, Contractors are not permitted to substitute gasohol for gasoline under line items awarded as gasoline, except when Government regulations mandate use of fuel containing an oxygenate for control of carbon monoxide pollution.

(1) **OCTANE REQUIREMENTS.**

(i) Unleaded automotive gasohol shall meet the AKI requirements shown in the table below.

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u> | <u>DESC<br/>PRODUCT<br/>CODE</u> |    |
|------------------------------|-----------------------------|----------------------------------|----|
| <u>AKI, MINIMUM</u>          |                             |                                  |    |
| 9130-01-090-1093             | Gasohol, Regular Unleaded   | GUR                              | 87 |
| 9130-01-355-2393             | Gasohol, Midgrade Unleaded  | GUM                              | 89 |
| 9130-01-090-1094             | Gasohol, Premium Unleaded   | GUP                              | 91 |

(ii) Reductions for altitude and seasonal variations are allowed for all AKI values in accordance with figures X1.2 and X1.3 of ASTM D 4814.

(iii) For regular unleaded gasohol, in addition to an AKI of 87 minimum, the MON must not be less than 82.

(2) **OXYGENATE REQUIREMENTS.**

- (i) Ethanol concentration shall be between 9 and 11 volume percent.
- (ii) Blending of ethanol into gasoline to make gasohol shall be accomplished by mechanical mixing or agitation in a tank, or by in-line blending, prior to loading the product into transport equipment, and the resultant product must meet contract requirements.

(3) See the SPECIFICATIONS (CONT'D) clause for additional regional requirements affecting gasohol.

(c) **REFORMULATED GASOLINE, AUTOMOTIVE, UNLEADED, GRADES REGULAR, MIDGRADE, AND PREMIUM.** Product shall conform to ASTM D 4814 , as modified by the Environmental Protection Agency (EPA) requirements detailed in 40 CFR Part 80 - "Regulation of Fuels and Fuel Additives; Standards for Reformulated and Conventional Gasoline; Final Rule," published in the February 16, 1994 Federal Register. In part, these regulations mandate that Phase II complex model reformulated gasoline must meet three emissions performance requirements when compared to the baseline gasoline marketed by a refiner in 1990: a 27 percent reduction in emissions of volatile organic compounds (VOCs), a 22 percent reduction in emissions of toxic pollutants, and a 7 percent reduction in emissions of oxides of nitrogen (NOx). Further, these regulations mandate that Phase II complex model reformulated gasoline must meet three compositional requirements: 1.5 weight percent minimum oxygen; 1.3 volume percent maximum benzene; and no heavy metals (lead and manganese are examples of such metals).

(1) **OCTANE REQUIREMENTS.**

- (i) Reformulated gasoline shall meet the AKI requirements shown in the table below.

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u>     | <u>DESC<br/>PRODUCT<br/>CODE</u> | <u>AKI</u> |
|------------------------------|---------------------------------|----------------------------------|------------|
| <u>MINIMUM</u>               |                                 |                                  |            |
| 9130-01-388-4080             | Reformulated Gasoline, Regular  | MRR                              | 87         |
| 9130-01-388-4513             | Reformulated Gasoline, Midgrade | MMR                              | 89         |
| 9130-01-388-4524             | Reformulated Gasoline, Premium  | MPR                              | 91         |

(ii) Reductions for altitude and seasonal variations are allowed for all AKI values in accordance with figures X1.2 and X1.3 of ASTM D 4814.

(2) **OXYGENATE REQUIREMENTS.**

(i) In order to achieve minimum/maximum oxygen content limits specified per Federal, State, and local environmental requirements, suppliers shall only include oxygenates that are permitted by environmental regulations applicable to the time and place of delivery.

(ii) Blending of permissible oxygenate into reformulated gasoline shall be accomplished by mechanical mixing or agitation in a tank, or by in-line blending, prior to loading the product into transport equipment, and the resultant product must meet contract requirements.

(3) See the SPECIFICATIONS (CONT'D) clause for additional regional reformulated gasoline requirements.

(d) **DIESEL FUEL.** ALL FACILITIES REQUIRING DIESEL FUEL FOR ON-HIGHWAY USE SHALL BE SUPPLIED PRODUCT WITH A MAXIMUM SULFUR CONTENT OF 0.05 WEIGHT PERCENT.

(1) **APPLICABLE TO ALL DIESEL GRADES.**

(i) **ADDITIVES.**

(A) A fuel stabilizer additive conforming to MIL-S-53021 may be blended into the fuel to improve the suitability of fuel for long term storage. Permissible additive concentrations are specified in the latest revision of QPL-53021.

(B) A corrosion inhibitor/lubricity improver additive may be blended into the fuel to inhibit corrosion and improve fuel lubricity. Permissible additive concentration limits are specified in the latest revision of QPL 25017.

(C) A fuel system icing inhibitor may be blended into the fuel to purge small quantities of water from the fuel and prevent the formulation of ice crystals. The additive concentration shall not exceed 0.15 volume percent when tested in accordance with ASTM D 5006.

(ii) **BLENDING.** Blending one grade of diesel fuel with another grade, or other compatible components, to produce a different grade or a variation within a grade is permitted. However, such blending shall be accomplished by mechanical mixing or agitation in a tank, or in-line blending, prior to loading the product into transport equipment, and the resultant product must meet all the requirements of the desired fuel.

(iii) **LOW TEMPERATURE OPERABILITY.** The low temperature performance of diesel fuel shall be defined by one of the following two properties: Cloud Point or Cold Filter Plugging Point.

(A) **CLOUD POINT.** Unless a more restrictive cloud point limit is specified in the contract schedule, the cloud point shall be equal to or lower than the tenth percentile minimum ambient temperature specified in Appendix X4 of ASTM D 975.

(B) **COLD FILTER PLUGGING POINT (CFPP).** Unless a more restrictive CFPP limit is specified in the contract schedule, the maximum CFPP shall be 10 degrees Celsius below the tenth percentile minimum ambient temperature specified in Appendix X4 of ASTM D 975.

(iv) **DYE.** As a means of identification, the Internal Revenue Service (IRS) requires that a red dye, identified as Solvent Red 164 (alkyl derivatives of azo benzene azo naphthol), must be added to all nontaxable diesel and all nontaxable kerosene used for purposes other than military jet fuel. The definitions of diesel and kerosene are provided in 26 CFR Section 48.4081-1. The minimum concentration is provided in 40 CFR Part 80.

(2) **APPLICABLE TO GRADES DL2, DL1, DLS, DLW, DF2, AND DF1 ONLY.** Product shall conform to the Commercial Item Description A-A-52557A, Fuel Oil, Diesel, For Posts, Camps, and Stations, dated January 16, 2001. Fuel stabilizer additive, corrosion inhibitor/lubricity improver, and fuel system icing inhibitor are not mandatory additives. Product classification is shown below.

#### LOW SULFUR GRADES

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u> | <u>DESC<br/>PRODUCT<br/>CODE</u> | <u>MAXIMUM<br/>SULFUR<br/>CONTENT</u> | <u>RED DYE</u> |
|------------------------------|-----------------------------|----------------------------------|---------------------------------------|----------------|
| 9140-00-000-0184             | Grade Low Sulfur No. 2-D    | DL2                              | 0.05 wt%                              | No             |
| 9140-00-000-0185             | Grade Low Sulfur No. 1-D    | DL1                              | 0.05 wt%                              | No             |
| 9140-01-413-7511             | Grade Low Sulfur No. 2-D    | DLS                              | 0.05 wt%                              | Yes            |
| 9140-01-412-1311             | Grade Low Sulfur No. 1-D    | DLW                              | 0.05 wt%                              | Yes            |

#### HIGH SULFUR GRADES

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u> | <u>DESC<br/>PRODUCT<br/>CODE</u> | <u>MAXIMUM<br/>SULFUR<br/>CONTENT</u> | <u>RED DYE</u> |
|------------------------------|-----------------------------|----------------------------------|---------------------------------------|----------------|
| 9140-00-286-5294             | Grade No. 2-D               | DF2                              | 0.50 wt%                              | Yes            |
| 9140-00-286-5286             | Grade No. 1-D               | DF1                              | 0.50 wt%                              | Yes            |

(3) **APPLICABLE TO GRADES LS2, LS1, LSS, LSW, HS2, AND HS1 ONLY.** Product shall conform to commercial specification ASTM D 975. In accordance with this specification, product shall be visually free of undissolved water, sediment, and suspended matter. Product classification is shown below:

**LOW SULFUR GRADES**

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u> | DESC<br>PRODUCT<br><u>CODE</u> | MAXIMUM<br>SULFUR<br><u>CONTENT</u> | <u>RED DYE</u> |
|------------------------------|-----------------------------|--------------------------------|-------------------------------------|----------------|
| 9140-01-398-0697             | Grade Low Sulfur No. 2-D    | LS2                            | 0.05 wt%                            | No             |
| 9140-01-398-1130             | Grade Low Sulfur No. 1-D    | LS1                            | 0.05 wt%                            | No             |
| 9140-01-413-4919             | Grade Low Sulfur No. 2-D    | LSS                            | 0.05 wt%                            | Yes            |
| 9140-01-413-7494             | Grade Low Sulfur No. 1-D    | LSW                            | 0.05 wt%                            | Yes            |

**HIGH SULFUR GRADES**

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u> | DESC<br>PRODUCT<br><u>CODE</u> | MAXIMUM<br>SULFUR<br><u>CONTENT</u> | <u>RED DYE</u> |
|------------------------------|-----------------------------|--------------------------------|-------------------------------------|----------------|
| 9140-01-398-1395             | Grade No. 2-D               | HS2                            | 0.50 wt%                            | Yes            |
| 9140-01-398-1422             | Grade No. 1-D               | HS1                            | 0.50 wt%                            | Yes            |

(4) **APPLICABLE TO DIESEL GRADE #1 ONLY.** DESC frequently requires #1 diesel fuel grades when it is anticipated that the fuel may be exposed to temperatures below 10 degrees Fahrenheit (-12 degrees Celsius). These products shall conform to ASTM Specification D 975 or CID A-A-52557, as specified for each grade above. Contractors electing to deliver kerosene to meet #1 diesel fuel requirements must—

(i) Provide certification to the Contracting Officer prior to 1 October of each year that the kerosene will meet #1 diesel fuel specifications, including specifically, viscosity and cetane index; **AND**

(ii) For each delivery, submit relevant documents (delivery tickets, bills of lading, etc.) indicating that #1 diesel fuel is being delivered.

(5) See the SPECIFICATIONS (CONT'D) clause for additional regional diesel requirements.

(e) **FUEL OIL, BURNER, GRADES 1, 2, 4(LIGHT), 4, 5(LIGHT), 5(HEAVY), AND 6 (VIRGIN FUEL OILS).** Product shall conform to ASTM D 396, as modified by the requirements of paragraphs (1) through (7) below. Product classification is shown in the table below. **PRODUCT CONTAINING USED OIL SHALL NOT BE SUPPLIED.** (See paragraph (f) below for DESC product codes, national stock numbers, and detailed requirements applicable to blends of residual fuel with recycled lubricating oil.)

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u> | DESC<br>PRODUCT<br><u>CODE</u> | <u>RED DYE</u> |
|------------------------------|-----------------------------|--------------------------------|----------------|
| 9140-00-247-4366             | Fuel Oil, Burner 1          | FS1                            | Yes            |
| 9140-00-247-4365             | Fuel Oil, Burner 2          | FS2                            | Yes            |
| 9140-01-107-6139             | Fuel Oil, Burner 4 (Light)  | FL4                            | Yes            |
| 9140-00-247-4360             | Fuel Oil, Burner 4          | FS4                            | No             |
| 9140-01-058-4431             | Fuel Oil, Burner 5 (Light)  | FL5                            | No             |
| 9140-00-247-4359             | Fuel Oil, Burner 5 (Heavy)  | FS5                            | No             |
| 9140-00-247-4354             | Fuel Oil, Burner 6          | FS6                            | No             |

(1) These residual grades of burner fuel oil (Grades 4, 4(Light), 5(Light), 5(Heavy), and 6) shall consist of fossil-derived hydrocarbon stock. They may not contain used oil or other recycled petroleum components.

(2) **SULFUR REQUIREMENT.** Refer to the Schedule for the maximum allowable sulfur content of Burner Oil, Grades 4, 4(Light), 5(Light), 5(Heavy), and 6. The maximum allowable sulfur content for Burner Oil, Grades 1 and 2, shall be 0.5 weight percent or State/local environmental requirements, whichever is more stringent.

(3) **NITROGEN REQUIREMENT.** The nitrogen content shall be tested using ASTM D 3228, Total Nitrogen in Lubricating Oils and Fuel Oils by Modified Kjeldahl Method, or ASTM D 4629, Trace Nitrogen in Liquid Petroleum Hydrocarbons by Chemiluminescence Detection. The nitrogen content is used to determine nitrous oxide (NOx) emissions in boiler systems as determined by State/local environmental agencies. The requirement applies for line items with burner oil #4, burner oil #5 (heavy), burner oil #5 (light), and burner oil #6. The Contractor is required upon request from the Government to provide a copy of the test report, within two working days, that states the actual nitrogen content of fuel delivered.

(4) Blending of various compatible grades of burner oil to produce an intermediate grade is permitted, however, such blending shall be accomplished by mechanical mixing or agitation in a tank, or by in-line blending, prior to loading the product into transport equipment, and the resultant product must meet all the requirements of the grade produced.

(5) The maximum allowable ash content for Burner Oil, Grade 6, shall be .50 weight percent using ASTM D 874, Standard Test Method for Sulfated Ash from Lubricating Oils and Additives.

(6) Under United States regulations, Grades Number 1, 2, and 4(Light) are required by 40 CFR Part 80 to contain a sufficient amount of the dye Solvent Red 164 so its presence is visually apparent. At or beyond terminal storage tanks, they are required by CFR Part 48 to contain the dye Solvent Red 164 at a concentration spectrally equivalent to 3.9 pounds per thousand barrels of the solid dye standard Solvent Red 26.

(7) **APPLICABLE TO FUEL OIL, BURNER, GRADE #1 ONLY.** This product shall conform to ASTM D 396. Contractors electing to deliver kerosene (red dye) to meet #1 burner oil requirements must—

(i) Provide certification to the Contracting Officer prior to 1 October of each year that the kerosene will meet #1 burner oil specifications, including , specifically, viscosity, distillation, density and pour point, **AND**

(ii) For each delivery, submit relevant documents (delivery tickets, bills of lading, etc.) indicating that #1 burner oil is being delivered.

(iii) All kerosene delivered to meet #1 burner oil must be tax free, i.e., dyed in accordance with IRS regulations.

(f) **FUEL OIL, BURNER, CONTAINING RECYCLED USED OILS, GRADES 4, 5(LIGHT), 5(HEAVY) AND 6.** Product shall conform to ASTM D 6823, as modified by the requirements of paragraphs (1) through (5) below. Product classification is shown in the table below.

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u>   | <u>DESC<br/>PRODUCT CODE</u> |
|------------------------------|-------------------------------|------------------------------|
| 9140-01-468-9135             | Fuel Oil, Burner, Grade RFC4  | RF4                          |
| 9140-01-468-9157             | Fuel Oil, Burner, Grade RFC5L | R5L                          |
| 9140-01-468-9147             | Fuel Oil, Burner, Grade RFC5H | RF5                          |
| 9140-01-468-9164             | Fuel Oil, Burner, Grade RFC6  | RF6                          |

(1) **SULFUR REQUIREMENT.** Refer to the Schedule for the maximum allowable sulfur content of Grades 4, 5(Light), 5(Heavy), and 6.

(2) **NITROGEN REQUIREMENT.** The nitrogen content shall be tested using ASTM D 3228, Total Nitrogen in Lubricating Oils and Fuel Oils by Modified Kjeldahl Method, or ASTM D 4629, Trace Nitrogen in Liquid Petroleum Hydrocarbons by Chemiluminescence Detection. The nitrogen content is used to determine nitrous oxide (NO<sub>x</sub>) emissions in boiler systems as determined by State/local environmental agencies. The Contractor is required upon request from the Government to provide a copy of the test report, within two working days, that states the actual nitrogen content of fuel delivered.

(3) **INCLUSION OF OFF-SPECIFICATION USED OIL PROHIBITED.** 40 CFR Parts 266 and 279 define off-specification used oil. The supply of RF4, R5L, RF5, or RF6 containing off-specification used oil is not permitted.

[ ] The offeror represents that it will provide certified test reports with associated QC documents validating compliance with EPA used oil standards contained in 40 CFR Parts 266 and 279 or State/local requirements, whichever is more stringent, for all contract deliveries under the line items identified above to—

ATTN: DESC-BPE ROOM 2954  
DEFENSE ENERGY SUPPORT CENTER  
8725 JOHN J KINGMAN ROAD SUITE 4950  
FORT BELVOIR VA 22060-6222

Offeror's EPA Identification Number: \_\_\_\_\_

(4) Blending of various compatible grades of burner oil to produce an intermediate grade is permitted, however, such blending shall be accomplished by mechanical mixing or agitation in tank, or by in-line blending, prior to loading the product into transport equipment, and the resultant product must meet all the requirements of the contract.

(5) The maximum allowable ash content for Burner Oil, Grade RF6, shall be 0.50 mass%, using ASTM D 874, Standard Test Method for Sulfated Ash from Lubricating Oils and Additives.

(g) **KEROSENE.** Product shall conform to ASTM D 3699. Classification of product is shown below.

**LOW SULFUR GRADES**

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u> | <u>DESC<br/>PRODUCT<br/>CODE</u> | <u>MAXIMUM<br/>SULFUR<br/>CONTENT</u> |     |
|------------------------------|-----------------------------|----------------------------------|---------------------------------------|-----|
| <u>RED DYE</u>               |                             |                                  |                                       |     |
| 9140-01-292-4460             | Kerosene, Grade No. 1-K     | KS1                              | 0.04 wt% max                          | No  |
| 9140-01-461-3989             | Kerosene, Grade No. 1-K     | KSR                              | 0.04 wt% max                          | Yes |

**HIGH SULFUR GRADES**

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u> | <u>DESC<br/>PRODUCT<br/>CODE</u> | <u>MAXIMUM<br/>SULFUR<br/>CONTENT</u> |     |
|------------------------------|-----------------------------|----------------------------------|---------------------------------------|-----|
| <u>RED DYE</u>               |                             |                                  |                                       |     |
| 9140-00-242-6748             | Kerosene, Grade No. 2-K     | KSN                              | 0.30 wt% max                          | Yes |



**NOTE:** The IRS requires taxation of No. 1-K and No. 2-K kerosene upon removal from the terminal unless the kerosene is indelibly (cannot be removed) dyed or used for military jet fuel. These requirements, part of 26 CFR 48 - Manufacturers and Retailers Excise Taxes, were published in the July 1, 1998, Federal Register. Only undyed (taxable) No. 1-K kerosene is suitable for use in nonflued (unvented) kerosene burner appliances. No. 2-K kerosene (dyed or undyed) is unsuitable for nonflued (unvented) kerosene burner appliances.

The color test requirement is deleted if red dye has been added in compliance with IRS regulations; however, the resulting fuel/dye blend must have a red tint.

(DESC 52.246-9FW5)

D. All other terms and conditions remain unchanged.